

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

VICKY LUNSFORD,

Case No. 5:22-CR-00180

PETITIONER,

-vs-

JUDGE PAMELA A. BARKER

UNITED STATES OF AMERICA,

RESPONDENT.

MEMORANDUM OPINION & ORDER

This matter is before the Court upon the Motion for Reconsideration 18 U.S.C. § 3742(e) Post-Sentencing Rehabilitation Programming filed by Petitioner Vicky Lunsford (“Lunsford”), pro se, on May 21, 2025 (“the Motion”). (Doc. No. 57.) On May 22, 2025, the Court referred the Motion to the Federal Public Defender (“FPD”) and on June 9, 2025, the FPD, through Attorney Abigail Akrong, filed a Notice of No Intent to Supplement Pro Se Motion. (Doc No. 60.) The United States of America did not file a response to the Motion.

In the Motion, Lunsford relies upon Section (e) of 18 U.S.C. § 3742, but that provision cannot provide the relief Lunsford seeks, i.e., a reduction in her sentence, because it applies to notices of appeal filed in the district court. Lunsford did not file a notice of appeal. The Court construes the Motion as one for compassionate release pursuant to 18 U.S.C. § 3582(c) because Lunsford asks that her sentence be reduced based upon her post-sentencing rehabilitation programming. However, Lunsford has not shown that she has exhausted her administrative remedies as required by 18 U.S.C. § 3582(c)(1)(A), and more importantly, completion of post-sentencing rehabilitation programming alone does not qualify as a basis for a sentence reduction under the statute or the guidelines. (U.S.S.G. § 1B1.13(d).

Accordingly, the Motion is DENIED.

IT IS SO ORDERED.

Date: June 25, 2025

s/Pamela A. Barker

PAMELA A. BARKER
U. S. DISTRICT JUDGE